

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 1053

By: Goodwin

AS INTRODUCED

An Act relating to the Oklahoma Children's Code; amending 10A O.S. 2021, Section 1-9-122, which relates to Department of Human Services guardianship programs; requiring certain information be provided to individuals upon contact with the Department; requiring that a signature be obtained; providing that information sheet is not a binding agreement; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10A O.S. 2021, Section 1-9-122, is amended to read as follows:

Section 1-9-122. A. The Department of Human Services shall establish and administer an ongoing program of supported guardianship to assist families wishing to make a long-term commitment to a child by accepting guardianship of the child. The supported guardianship program shall enable the family to assume the parental role without ongoing Department oversight but allow the family to return to the Department for services as needed.

B. When the Department initially contacts or is contacted by a family member or other individual regarding taking a potential

1 guardianship of a child who was the subject of a referral to the
2 Department regarding allegations of abuse or neglect, the Department
3 shall provide the family member or other individual with information
4 regarding foster care, safety plans, kinship foster placements,
5 foster placements, and guardianships. This information shall
6 include, but not be limited to:

7 1. Potential options for taking custody of a child such as
8 foster placement or kinship foster placement, including information
9 that relatives can be foster placements if able to meet requisite
10 qualifications under the law;

11 2. Potential resources and assistance, whether monetary or in
12 services, that would be available to the child and family member or
13 other individual as either a kinship foster placement, foster
14 placement, safety plan monitor, or guardian, including disclosures
15 that guardianship placements receive less financial assistance than
16 foster placements; and

17 3. The family member or other individual's duties and
18 responsibilities to the parents of the child as either a guardian,
19 kinship foster placement, foster placement, or safety plan monitor.

20 C. The Department shall obtain a signed and dated information
21 sheet from the relative or individual stating that the information
22 required by subsection B of this section was provided in writing,
23 was explained verbally, and that he or she understood the
24 information. The information sheet shall also be signed and dated

1 by personnel from the Department stating that the information sheet
2 was provided to the relative or other individual and that the
3 information was explained verbally. A copy of the information sheet
4 may be kept by the family member or other individual. In the event
5 that the individual declines to be provided the information sheet,
6 Department personnel shall have the individual sign and date the
7 information sheet and indicate that he or she does not wish to be
8 provided the information sheet. The Department shall make the
9 information sheet available online and the information sheet may be
10 signed electronically. The signed information sheet shall be filed
11 along with any guardianship petition that is subsequently filed
12 regarding the child or children.

13 D. The information sheet shall be for informational purposes
14 only. The signed information sheet shall not constitute a binding
15 agreement between the individual and the Department. The
16 information sheet does not confer any additional duties or
17 obligations to the Department other than those already prescribed by
18 law, nor does it guarantee placement. Further, the information
19 sheet does not constitute legal advice.

20 SECTION 2. This act shall become effective November 1, 2025.

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